

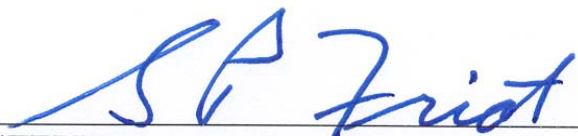
**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MAURICE MORRELL STEWART,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-07-0042-F
)	
DAVID PARKER, Warden,)	
)	
Respondent.)	

ORDER

Magistrate Judge Gary M. Purcell's Report and Recommendation of January 16, 2007 is before the court. (Doc. no. 5.) The Report recommends denial of petitioner's motion for leave to proceed *in forma pauperis*. The Report advised petitioner that any objection to the Report was due by February 5, 2007, and further advised that failure to make timely objection waives petitioner's right to appellate review of both factual and legal issues contained in the Report. Petitioner has not objected to the Report, nor has he sought an extension of time within which to object. Accordingly, there being no objection, and after review, the court **ACCEPTS**, **ADOPTS**, and **AFFIRMS** the Magistrate Judge's Report and Recommendation. Petitioner's motion for leave to proceed *in forma pauperis* is **DENIED**. If the filing fee is not paid within 60 days of the date of this order, this action will then be dismissed without prejudice.

Dated this 20th day of February, 2007.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE